

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

USCOC OF GREATER IOWA, INC.,)	
)	
Plaintiff,)	4:06CV3104
)	
v.)	
)	
CITY OF OMAHA, NEBRASKA)	MEMORANDUM AND ORDER
)	
Defendant.)	
)	

Upon consideration of the defendant's request for trial in Omaha, the court notes that the only connection this case has with Lincoln is that the judge who was assigned a similar case is stationed in Lincoln. That is not one of the considerations permitted by NECivR 40.1(b)(2), which directs the court to consider "the convenience of the litigants, witnesses, and counsel" when considering conflicting requests for place of trial. Since the lawyers and the records are in Omaha and the matter may be of local interest in Omaha, the case should be heard there. The motion for expedited trial is reserved for ruling by the judge who will hear the case.

IT THEREFORE HEREBY IS ORDERED,

Trial of this case will be held in Omaha, and the clerk shall cause the matter to be reassigned to an Omaha judge accordingly.

DATED this 30th day of May, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge